

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKUSDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 3/30/2021

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 UNITED STATES OF AMERICA, :
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 -against- : 08-CR-1280 (VEC)
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 ROBERT SIMMONS, : ORDER
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 Defendant. :
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VALERIE CAPRONI, United States District Judge:

WHEREAS on October 30, 2020, the Court denied Defendant's motion to dismiss the indictment in light of *Rehaif v. United States*, 139 S. Ct. 2191 (2019), Dkt. 106;

WHEREAS the Court ordered Defendant to appear for resentencing;

WHEREAS the Court encouraged the parties to explore an alternative resolution to dispose of this matter that achieves justice given the unusual circumstances of this case;

WHEREAS the parties have informed the Court that they have reached an alternative disposition of this case, pursuant to which Defendant wishes to plead guilty to a superseding information; and

WHEREAS the parties have requested that the Court schedule a plea proceeding;

IT IS HEREBY ORDERED that counsel for the parties and Defendant must appear for a plea hearing on **April 15, 2021, at 3:30 p.m.** The Court will conduct the hearing **in-person**, in Courtroom 443, Thurgood Marshall U.S. Courthouse, 40 Foley Square, New York, NY.

IT IS FURTHER ORDERED that per the SDNY COVID-19 COURTHOUSE ENTRY PROGRAM, any person who appears at any SDNY courthouse must complete a questionnaire and have his or her temperature taken. Please see the instructions, attached. Completing the questionnaire ahead of time will save time and effort upon entry. Only those individuals who

meet the entry requirements established by the questionnaire will be permitted entry. Please contact chambers promptly if you or your client does not meet the requirements.

IT IS FURTHER ORDERED that interested members of the public may dial-in using (888) 363-4749 // Access code: 3121171# // Security code: 1280#.

SO ORDERED.

Date: March 30, 2021
New York, NY

Valerie Caproni

VALERIE CAPRONI
United States District Judge

All members of the public, including attorneys, appearing at a Southern District of New York courthouse must complete a questionnaire and have their temperature taken before being allowed entry into that courthouse.

On the day you are due to arrive at the courthouse, click on the following weblink, or scan the following QR code with a mobile device camera to begin the enrollment process. Follow the instructions and fill out the questionnaire. If your answers meet the requirements for entry, you will be sent a QR code to be used at the SDNY entry device at the courthouse entrance.

<https://app.certify.me/SDNYPublic>



Note: If you do not have a mobile phone or mobile phone number, you must complete the questionnaire and temperature screening at an entry device at the courthouse.